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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re : Chapter 11  
DELPHI CORPORATION, et al. : Case No. 05-44481 (RDD)  
Debtors. : (Jointly Administered)  
----- -x  
DELPHI CORPORATION, et al :  
Plaintiff, :  
v. : Adv. Proc. No. 07-02489-rdd  
MUBEA and MUBEA INC., :  
Defendant. :  
----- -x

**EXHIBIT A**

**MUBEA AND MUBEA, INC.'S NOTICE OF FILING OF AFFIDAVIT IN SUPPORT OF  
ITS OPPOSITION TO REORGANIZED DEBTORS' MOTION FOR LEAVE TO FILE  
AMENDED COMPLAINTS AND SUPPLEMENT TO ITS MOTION FOR RELIEF  
FROM FOURTH ORDER EXTENDING TIME TO SERVE COMPLAINT**

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In re : Chapter 11  
DELPHI CORPORATION, et al. : Case No. 05-44481 (RDD)  
Debtors. : (Jointly Administered)  
----- -x  
DELPHI AUTOMOTIVE SYSTEMS, LLC, :  
Plaintiff, :  
v. : Adv. Proc. No. 07-02489-rdd  
MUBEA INC., :  
Defendant. :  
----- -x

**DECLARATION OF BYRD DOUGLAS CAIN III**

I, Byrd Douglas Cain III, pursuant to 28 U.S.C. § 1746, furnish this declaration and declare as follows:

1. I am the Chief Executive Officer of Mubea, Inc. ("Mubea").
2. I make this Declaration to the best of my knowledge, and if called as a witness, would testify to the facts contained herein.

3. Mubea supplied parts to Delphi Corporation and/or its subsidiaries and affiliates (collectively “**Delphi**”) prior to Delphi filing for Chapter 11 bankruptcy (Case No. 05-44481) (the “**Delphi Case**”) in October 2005.

4. Attorney Stephen H. Gross at the firm Hodgson Russ LLP initially represented Mubea in the Delphi Case.

5. Stephen H. Gross and Hodgson Russ do not represent, and has never represented, Mubea in the adversary proceeding case number 07-02489. Stephen H. Gross and Hodgson Russ have never been authorized to accept service of any pleading in that adversary proceeding.

6. Until March 2010, Mubea was unaware that a complaint had been filed against it by Delphi. Mubea had no knowledge that it was one of the named defendants being kept secret under seal since Delphi had not provided any indication to Mubea that Delphi would be pursuing a claim against Mubea.

7. I have recently reviewed Delphi’s Supplemental Motion Pursuant to Fed. R. Bankr. P. 7004(a) and 9006(b)(1) and Fed. R. Civ. P. 4(m) to Extend Deadline to Serve Process for Avoidance Actions Filed in Connection With Preservation of Estate Claims Procedure Order (Docket No. 18952) (the “**Fourth Extension Motion**”) and the Order entered on October 22, 2009 approving that motion (Docket No. 18999) (the “**Fourth Extension Order**”).

8. To the best of my knowledge, after investigating this matter, Mubea was never served with the Fourth Extension Motion and Fourth Extension Order and did not receive notice of the Fourth Extension Motion and Fourth Extension Order from Stephen H. Ross or anybody else.

9. The first Mubea learned of Delphi’s Fourth Extension Motion and Fourth Extension Order was not until after it was served with the complaint in March 2010.

I make this Declaration under penalty of perjury.



Byrd Douglas Cain III

Executed in Florence, Kentucky  
on July 7<sup>th</sup>, 2011

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